



**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Case No.: 99,423

#3

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**N-PYRAZOLE A<sub>2A</sub> RECEPTOR AGONISTS**

the specification of which is attached hereto unless the following space is checked:

☒ was filed on 6/22/99 as United States Application Serial Number 09/338,185

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby appoint the following attorneys and agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Denis A. Berntsen	Reg. No. 26707	Anthoula Pomrening (agent)	Reg. No. 38805
John J. McDonnell	Reg. No. 26949	James M. McCarthy	Reg. No. 39269
Daniel A. Boehnen	Reg. No. 28399	Sean M. Sullivan	Reg. No. 40191
Bradley J. Hulbert	Reg. No. 30130	George I. Lee	Reg. No. 39269
Paul H. Berghoff	Reg. No. 30243	Jeremy Noe (agent)	Reg. No. 40104
Grantland G. Drutchas	Reg. No. 32565	Audrey L. Bartnicki	Reg. No. 40499
Steven J. Sarussi	Reg. No. 32784	Amir N. Penn	Reg. No. 40767
David M. Frischkorn	Reg. No. 32833	Patrick J. Halloran (agent)	Reg. No. 41053
James C. Gumina	Reg. No. 32898	Joshua R. Rich	Reg. No. 41269
A. Blair Hughes	Reg. No. 32901	Thomas E. Wettermann	Reg. No. 41523
Thomas A. Fairhall	Reg. No. 34591	Vernon W. Francissen	Reg. No. 41762
Emily Miao	Reg. No. 35285	Robert J. Irvine	Reg. No. 41865
Kevin E. Noonan	Reg. No. 35303	Richard A. Machonkin	Reg. No. 41962
Leif R. Sigmond, Jr.	Reg. No. 35680	David S. Harper	Reg. No. 42636
Lawrence H. Aaronson	Reg. No. 35818	Christopher D. Agnew (agent)	Reg. No. P43464
Matthew J. Sampson	Reg. No. 35999	Stephen Lesavich	Reg. No. P43749
Curt J. Whitenack	Reg. No. 36054	Enrique Perez	Reg. No. P43853
Christopher M. Cavan	Reg. No. 36475	Marcus J. Thymian	Reg. No. P43954
Michael S. Greenfield	Reg. No. 37142	Emanuel J. Vacchiano (agent)	Reg. No. P43964
Roger P. Zimmerman	Reg. No. 38670		

Address all telephone calls to A. Blair Hughes at (312) 913-0001.

Address all correspondence to McDONNELL BOEHNEN HULBERT & BERGHOFF, 300 South Wacker Drive, Chicago, Illinois 60606 USA.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Jeff A. Zablocki

Inventor's signature: Jeff A. Zablocki Date: 6-29-99  
Residence: 580 Sleeper Ave, Mountain View, CA 94040  
Citizenship: United States of America  
Post Office Address: 580 Sleeper Ave, Mountain View, CA 94040

Full name of second joint inventor: Elfatih O. Elzein

Inventor's signature: \_\_\_\_\_ Date: Elfatih O. Elzein  
Residence: 4644 Creekwood Dr., Fremont, CA 94555 July 6, 1999  
Citizenship: Sudan  
Post Office Address: 4644 Creekwood Dr., Fremont, CA 94555

Full name of third joint inventor: Venkata P. Palle

Inventor's signature: V.P.P. Acharyulu Date: 7-6-99  
Residence: 600 Ranibow Dr., Mountain View, CA 94041  
Citizenship: India  
Post Office Address: 600 Ranibow Dr., Mountain View, CA 94041



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney's Docket No. 99,423)

Applicant of  
Patent:

Jeff A. Zablocki, Venkata P. Palle, and Elfatih O. Elzein

Serial or  
Patent No.

09/338,185

Filed or  
Issued: 6/22/99

Title: N-Pyrazole A<sub>2A</sub> Receptor Agonists

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. § 1.9(f) AND § 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☐  
☒

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: CV THERAPEUTICS, INC.

ADDRESS OF CONCERN: 3172 Porter Drive, Palo Alto, CA 94304

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled N-Pyrazole A<sub>2A</sub> Receptor Agonists by

inventors Jeff A. Zablocki, Venkata P. Palle, and Elfaith O. Elzein

described in

- ☐ the specification filed herewith.  
☒ Application Serial No. 09/338,185, filed 6/22/99.  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing therein, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Louis G. Lange, III

TITLE IN ORGANIZATION: President

ADDRESS OF PERSON SIGNING: 3172 Porter Drive, Palo Alto, CA 94304

Signature: L. Lange

Date: 7/2/99